

ORIGINAL

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12 **SEALED**

13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 CV-S-05-0848-RCJ-LRL

16 **ST. MATTHEW'S UNIVERSITY
(CAYMAN) LTD., a Cayman Islands
company,**

17 Plaintiff,

18 VS.

19 **ASSOCIATION OF AMERICAN
INTERNATIONAL MEDICAL
GRADUATES, INC., a Nevada
corporation; THOMAS MOORE, M.D.
a.k.a. "presaaimg@hotmail.com," an
individual; SARAH B. WEINSTEIN a.k.a.
"execsecaaimg@hotmail.com," an
individual; and RACHAEL E. SILVER,
an individual,**

20 Defendants.

21 **COMPLAINT**

22 **DEMAND FOR JURY TRIAL**

SEALED

23 Plaintiff ST. MATTHEW'S UNIVERSITY (CAYMAN) LTD., CORP. ("ST.
24 MATTHEW's"), through its attorneys, alleges as follows:
25

26 **COMPLAINT**

JURISDICTION AND VENUE

1. This is an action for damages and injunctive relief, arising under the Lanham Act, 15 U.S.C. § 1051 et seq., Nevada state law, and federal and state common law.

2. Subject matter jurisdiction is conferred upon this Court by 15 U.S.C. § 1121, under
28 U.S.C. 1338(a) and (b), and under 28 U.S.C. § 1331. Supplemental jurisdiction over
claims arising under the law of the State of Nevada is conferred upon this Court under 28
U.S.C. § 1337.

3. Diversity jurisdiction is conferred upon this Court by 15 U.S.C. § 1332, in that Plaintiff is a foreign company formed under the laws of the Cayman Islands, British West Indies, having its principal place of business in Grand Cayman; and that corporate Defendant is organized under the laws of the State of Nevada, having its stated principal place of business and its registered agent for service in the State of Nevada; and individual Defendants have represented their addresses as being within the State of Nevada. The amount in controversy exceeds \$75,000, exclusive of interest and costs.

4. This Court has personal jurisdiction over Defendant ASSOCIATION OF AMERICAN INTERNATIONAL MEDICAL GRADUATES, INC. ("AAIMG"), as Defendant AAIMG is a Nevada domestic corporation, with its stated place of business within the State of Nevada, and its resident agent for service of process located in the State of Nevada. A true and correct copy of the corporate information on AAIMG held by the Nevada Secretary of State is attached hereto as "Exhibit A."

5. This Court has personal jurisdiction over Defendants THOMAS MOORE, M.D.
a.k.a. "presaaimg@hotmail.com"; SARAH B. WEINSTEIN a.k.a.
"execsecaaimg@hotmail.com"; and RACHAEL E. SILVER; each of them being officers of
Defendant AAIMG, and their associated email accounts, and each of them stating their
address as being within the State of Nevada. (See Ex. A.)

6. Venue is proper in the District of Nevada pursuant to 28 U.S.C. § 1331(b) and (c), and LR IA 6-1, in that all of the Defendants are subject to personal jurisdiction in this District at the time the action is commenced, there is no district in which the action may

1 otherwise be brought, and as Defendants' acts giving rise to this action occurred in
 2 Nevada, in Clark County.

3 **SUMMARY**

4 7. This case is about one or more individuals, the Defendants, who created a
 5 fictitious, purportedly impartial and nonprofit, organization claiming to provide medical
 6 school reviews for prospective medical school students. Defendants shielded their
 7 ident ties to evade liability and to mask their true affiliations, including the use of false
 8 ident ties, non-operational contact information, and fraudulent incorporation. Thereafter,
 9 Defendants began a campaign to systematically, through a pattern of false statements,
 10 defame and disparage Plaintiff medical school, with the intent to harm the Plaintiff
 11 economically. Plaintiff has suffered great damages as a result of the Defendant's fraud,
 12 including diminished student enrollment, interference with accreditation proceedings, and
 13 denials of residency placements for ST. MATTHEW's hard-working medical graduates.
 14 Peeling back the layers of fraud and defamation, the actions of the Defendants appear to
 15 be even more nefarious and subversive, in that the Defendants, on information and belief,
 16 are competitors of Plaintiff or, alternatively, "shake-down" artists seeking to extort money
 17 or to take "pay-offs" in exchange for positive reviews.

18 **THE PARTIES**

19 8. Plaintiff ST. MATTHEW'S UNIVERSITY (CAYMAN) LTD. ("ST. MATTHEW's") is a
 20 company formed under the laws of the Cayman Islands, British West Indies, with its
 21 principal campus and business in Safe Haven, Leeward Three, Grand Cayman, Cayman
 22 Islands, British West Indies. True and correct copy of a Certificate of Good Standing
 23 issued by the Registrar of Companies, Cayman Islands, is attached hereto as Exhibit B.

24 9. On information and belief, Defendant ASSOCIATION OF AMERICAN
 25 INTERNATIONAL MEDICAL GRADUATES, INC. ("AAIMG") is a Nevada domestic
 26 corporation. AAIMG states its address as that of its registered agent of service, VAL-U-
 27 CORP Services, Inc. ("VAL-U-CORP"): 1802 N Carson St., Suite 212-2161, Carson City,
 28

1 Nevada, 89701. A true and correct copy of the Articles of Incorporation and related
2 documents for AAIMG are attached hereto as Exhibit A.

3 10. On information and belief, Defendant THOMAS MOORE, M.D., is an individual,
4 "presaaimg@hotmail.com" is his associated email address. Defendant MOORE is
5 purported to be the President of Defendant AAIMG, and has been listed with the same
6 address as that of VAL-U-CORP, "1802 N Carson St. #212, Carson City, Nevada,
7 89701." (See Ex. A.)

8 11. On information and belief, Defendant SARAH B. WEINSTEIN is an individual,
9 "execsecaaimg@hotmail.com" is her associated email address. Defendant WEINSTEIN
10 is purported to be the Secretary of Defendant AAIMG, with the same address as that of
11 VAL-U-CORP, "1802 N Carson St. #212, Carson City, Nevada, 89701." (See Ex. A.)

12 12. On information and belief, Defendant RACHAEL E. SILVER is an individual, listed
13 as the Treasurer of Defendant AAIMG, giving her address as that of VAL-U-CORP, "1802
14 N Carson St. #212, Carson City, Nevada, 89701." (See Ex. A.)

15 13. Whenever in this Complaint reference is made to any act of any individual
16 defendant, that allegation shall be deemed to mean that said defendant committed,
17 conspired to commit, authorized, aided, abetted, furnished the means to, advised or
18 encouraged the acts alleged as a principal, under express or implied agency, or with
19 actual or ostensible authority to perform the acts so alleged.

20 14. Whenever in this complaint reference is made to any act of Defendant AAIMG, that
21 allegation shall be deemed to mean that AAIMG, its officers, directors, agents, employees
22 or representatives, committed, conspired to commit, authorized, aided, abetted, furnished
23 the means to, advised or encouraged the acts alleged, while actively engaged in the
24 management, direction or control of the affairs of AAIMG.

25 15. Whenever reference is made in this complaint to any act of any defendants, that
26 allegation shall be deemed to mean the act of each defendant acting individually and
27 jointly.

28

1 16. This Complaint shall be amended in due course upon the identification of
2 additional defendants individuals upon discovery to allege their connection with the acts
3 giving rise to this case.

4 17. On information and belief, Defendant AAIMG is wholly owned and controlled by an
5 individual Defendant to be identified, that this individual Defendant is the sole stockholder,
6 officer, and director of Defendant corporation AAIMG, and Defendant corporation AAIMG
7 is so controlled by said individual Defendant that the monies of Defendant corporation
8 and of the individual Defendant are intermingled; that there is a unity of ownership and
9 interest between them; that the credit of one is used for the credit of the other; that the
10 obligations of the individual Defendant are paid by the Defendant corporation; that the
11 corporation was incorporated and capitalized for a sum of money insufficient to meet
12 reasonable requirements of Defendant corporation; that as a result of the foregoing,
13 Defendant corporation is the instrumentality, conduit, adjunct and alter ego of the
14 individual Defendant, and the individual Defendant has managed and controlled said
15 corporation to avoid personal liability. Unless the fiction of the separateness of the
16 individual from said corporation and from each other is ignored, injustice will result and
17 fraud will be sanctioned, all to the irreparable damage and injury of the Plaintiff. Unless
18 judgment in this action includes said individual Defendant and the corporate Defendant,
19 Plaintiff will be unable to recover and enforce the claims and rights hereinafter referred to.
20

21 **BACKGROUND**

22 **PLAINTIFF ST. MATTHEW'S UNIVERSITY SCHOOL OF MEDICINE**

23 18. ST. MATTHEW's University School of Medicine ("ST. MATTHEW's") is a privately
24 owned medical school, with a basic science campus located in the Cayman Islands,
25 British West Indies.
26
27
28

1 19. Originally founded in 1996, and chartered in 1997 in Belize, Central America, ST.
 2 MATTHEW's moved its operations to its present location at Safe Haven, Leeward Three,
 3 Grand Cayman, in May of 2002.

4 20. Fully chartered by the Government of Grand Cayman, British West Indies, ST.
 5 MATTHEW's enjoys the reputation of a respected and well-apportioned institution in the
 6 Caribbean area and the world at large. ST. MATTHEW's is recognized in 48 of the 50
 7 United States¹ – including Nevada – and in most foreign countries. ST. MATTHEW's
 8 has been afforded the following accreditations or recognitions, amongst others:

- 9 • The United States Department of Education's National Committee on Foreign
 10 Medical Education and Accreditation (NCFMEA) recognizes the accreditation of
 11 ST. MATTHEW's University.
- 12 • Accreditation by the Accreditation Commission on Colleges of Medicine
 13 (ACCM). The United States Department of Education recognizes the ACCM as
 14 using accrediting standards comparable to the accrediting body for medical
 15 schools in the United States.
- 16 • The World Health Organization lists ST. MATTHEW's University in its most
 17 recent publication of the directory of medical schools.
- 18 • The FAIMER International Medical Education Directory (IMED) of the
 19 Educational Commission for Foreign Medical Graduates (ECFMG) lists ST.
 20 MATTHEW's in its listing of approved medical schools.
- 21 • ST. MATTHEW's is approved by the State of New York for all clinical rotations,
 22 residencies and licensing, noteworthy because the State of New York has one
 23 of the most rigorous accreditation processes for international medical schools.

27

 28 ¹ Kansas requires a 15-year term of existence before allowing accreditation of foreign
 medical school; ST. MATTHEW's accreditation application with California is still in the
 process of appellate review.

- Licensed by the Commission on Independent Education of the State of Florida to allow third and fourth year students to complete their hospital rotations.

21. ST. MATTHEW's presently has a faculty of over 250 physicians and a staff of more than fifty. With a student body of over 900 medical students, it graduates more than 140 each year, and 98% of those who hold their ECFMG certificate continue on to accredited residency programs in the U.S. and around the world.

22. With world-wide accreditation and clinical sites in the United States, England and Canada, ST. MATTHEW's University has attracted students from a variety of different nationalities creating a healthy make-up of students from Europe, particularly the United Kingdom and Western Europe.

23. ST. MATTHEW's boasts a state-of-the-art campus, with high-speed wireless Internet connectivity, excellent anatomy, histology, microbiology and clinical skills labs, along with beautiful classrooms, spacious study areas and student lounges. ST. MATTHEW's has invested over US \$50 million into developing and expanding its operations, and has enjoyed an increase in reputation as a result.

24. St. Matthews' Clinical Science programs are conducted in teaching hospitals throughout the United States, Canada and England, and ST. MATTHEW's graduates have been very successful in obtaining excellent residency positions in some of the finest and most rewarding accredited residency training hospitals in the United States, United Kingdom and Canada.

“AAIMG.COM”

25. In or about the year 2002, ST. MATTHEW's became aware of the publication of false and defamatory statements regarding ST. MATTHEW's on a website operating under the domain name "aaimg.com." A true and complete copy of the content of this website as of April 21, 2005 is attached hereto as Exhibit C.

26. On information and belief, Defendant AAIMG purports to be a neutral and objective organization that reviews international medical schools. Since its launch, the AAIMG.com

1 website has attracted tens of thousands of Internet visitors, and it currently ranks high in
 2 multiple search engines, including achieving a Google PageRank of five throughout most
 3 of its site.²

4 27. Many educational institutions and organizations unwittingly link to AAIMG,
 5 including, among others, the National Association of Advisors for the Health Professions
 6 (NAAHP), Cornell, Harvard, CalPoly, SUNY Stony Brook, and Seton Hall University.³
 7 Over the past few years, AAIMG, despite its fraudulent operations as detailed below, has
 8 become an information resource for those who are not able to take the time to verify the
 9 legitimacy of this organization.

10 28. Of primary significance is the linking to aaimg.com by the NAAHP. This
 11 organization is extremely influential as a provider of professional and academic
 12 information and resources for the medical field, and a primary source of information for
 13 anyone seeking information on medical institutions and specifically for qualified
 14 candidates seeking a medical education. The NAAHP links to the AAIMG website that
 15 contain the false and defamatory statements about ST. MATTHEW's hugely impact ST.
 16 MATTHEW's reputation in the medical and academic community at large.

17 29. The false and defamatory statements made on the aaimg.com website about
 18 Plaintiff were made in the context of the published results of a purported on-site review by
 19 AAIMG of Plaintiff ST. MATTHEW's campus.

20 30. Prior to the discovery of the false and defamatory statements, ST. MATTHEW's
 21 had never known of Defendant AAIMG or any representative thereof including the named
 22 Defendants, had never been in contact or corresponded with them in any way, and had
 23 never participated or in any other way been aware of any review of its campus or

24
 25 ² PageRank is a ranking label attached to web pages by the search engine Google.
 26 Google analyzes links to a particular page, and the quality of the websites linking to such
 27 page, to determine "PageRank." PageRank is combined with Google's text-matching
 28 techniques in creating overall ranking within the search engine related to particular key
 words. See <http://www.google.com/technology/>.

³ See the attached Exhibit D for a list of current links to AAIMG.COM, which does not
 include sites that have formerly linked to AAIMG.COM since 1999.

1 programs conducted by Defendant AAIMG.

2 31. ST. MATTHEW's categorically and insistently denies Defendant AAIMG's
3 allegations concerning ST. MATTHEW's facilities and programs, and refutes that any on-
4 site review or inspection as claimed by AAIMG was ever conducted. In fact, on
5 information and belief, it is impossible that an organization such as AAIMG would have
6 the ability to conduct such a site review as claimed. The false statements are itemized
7 and individually rebutted below.

8 32. On March 17, 2004, ST. MATTHEW's, through its attorney, contacted Defendant
9 AAIMG (by Defendant MOORE) by certified mail, to inform AAIMG of ST. MATTHEW's
10 position regarding AAIMG's false statements, and ST. MATTHEW's demanded that the
11 statements be retracted. A true and correct copy of the demand letter to Defendant
12 AAIMG, containing the rebuttal and demands for retractions and corrections, is attached
13 hereto as Exhibit E, and incorporated herein by reference.

14 33. ST. MATTHEW's received absolutely no response to its correction and retraction
15 demands.

16 DEFENDANT AAIMG

17 34. ST. MATTHEW's thereupon began an investigation into AAIMG and its claims, in
18 an attempt to discover the ways and means such false statements were being made and
19 for what purpose.

20 35. The twelve-page website operated at "aaimg.com" is apparently the only
21 operational function of Defendant AAIMG. (See Ex. C.)

22 36. On its website, AAIMG claims to be a non-profit organization, founded in 1992,
23 with the stated purpose "to promote acceptance of United States citizen [sic] international
24 medical graduates into mainstream American medical practice." (See Ex. C, pg. 2.)

25 37. AAIMG identifies as its President one "Thomas Moore, M.D., " and, as its "M.D.
26 Executive Secretary," one "Sarah B. Weinstein." (See Ex. C, pg. 43; see also Ex. A.)

27 38. AAIMG states its address as 1802 N Carson St. #212, Carson City, Nevada,
28 89701. No telephone numbers are provided. (See Ex. C, pg. 43; see also Ex. A.)

1 39. The only contact information listed on the site are two Hotmail email addresses,
2 that happen to be free email addresses that do not require any identifying information to
3 acquire such email addresses. (See Ex. C, pg. 43.)

4 40. ST. MATTHEW's investigations, still ongoing, have revealed a disturbing pattern of
5 fraud and elaborate attempts to mask the true identities of those operating AAIMG. In
6 May of 2004, the Nevada Attorney General conducted an investigation of AAIMG, which,
7 confirming many of the suspicions of Plaintiff, found that AAIMG does not conduct
8 business at the address it alleges and that all operations of AAIMG appear to be in
9 Russia.

AAIMG's Fraudulent Organization

11 41. Defendant AAIMG is, in truth and fact, a for-profit corporation formed under the
12 laws of the State of Nevada in 1999, contrary to its false assertions otherwise. (See Ex.
13 A; Ex. C, pg. 2.)

14 42. The operating address provided on the AAIMG's website (see Ex. C, pg. 43) is not
15 an operating business address, but rather a general corporate resident agent service
16 company: VAL-U-CORP Services, Inc., 1802 N Carson St., Carson City, Nevada, 89701.
17 This company is also the listed agent for service of process on AAIMG's incorporation
18 documents.

19 43. There is only one address listed for all three officers of AAIMG: 1802 N Carson St.
20 #212, Carson City, Nevada, 89701, which, again, is that of VAL-U-CORP, AAIMG's
21 registered agent for service of process. (See Ex. A.)

22 44. There is no telephone number provided on the AAIMG website or anywhere else;
23 neither is there any telephone listing for AAIMG in Nevada or anywhere else in the United
24 States.

25 45. AAIMG's incorporation documents list no stated capital and no value per share,
26 despite purported operations that would require hundreds of thousands of dollars in
27 expenditures. (See Ex. A.)

AAIMG's Fictitious Individuals

46. ST. MATTHEW's extensive internal and independent investigations have revealed, and ST. MATTHEW's so alleges on information and belief, that the persons alleged to be officers of Defendant AAIMG are fictitious persons, falsified identities used to shield the actual perpetrators from legal and professional liability, while these individuals conduct their fraudulent activities for financial gain.

47. AAIMG's records list only three officers: Defendant THOMAS MOORE, M.D. (President), Defendant SARAH WEINSTEIN (Secretary), and Defendant RACHAEL SILVER (Treasurer). No actual address has been listed for any of these AAIMG officers in its incorporation documents. The only address provided for each officer is that of VAL-U-CORP, AAIMG's resident agent for service of process. (See Ex. A.)

48. Defendant THOMAS MOORE, M.D., is identified as president ST. MATTHEW's investigations have shown there is no Thomas Moore, M.D., licensed or living in the states of Nevada; no Thomas Moore, M.D., owns or has owned property in Nevada; there is no credit record for any Thomas Moore, M.D., now or at any time in Nevada.

49. There are only 28 Thomas Moore, M.D.'s listed with the American Medical Association, which indexes ALL licensed medical doctors in the United States. None of them is a graduate of an international medical school. Of those 28, nine have photos available on the internet, and none match the purported photograph of "Thomas Moore, M.D." on the AAIMG website (see Ex. C, pg. 42.) Of the 19 remaining, none have any stated affiliation with AAIMG.

50. Defendant "SARAH B. WEINSTEIN" is identified as secretary. (See Ex. A.) The only address given for Defendant WEINSTEIN is that of AAIMG's registered agent for service of process, VAL-U-CORP, at 1802 N Carson St. #212, Carson City, Nevada, 89701.

51. Plaintiff ST. MATTHEW's national search has revealed there is no SARAH B. WEINSTINE living in the state of Nevada; no SARAH B. WEINSTEIN owns or has owned

1 property in Nevada; there is no credit record for any SARAH B. WEINSTEIN, now or at
2 any time, in Nevada.

3 52. Defendant "RACHAEL E. SILVER" is identified as treasurer. (See Ex. A.) The only
4 address given for Defendant SILVER is that of AAIMG's registered agent for service of
5 process, VAL-U-CORP, at 1802 N Carson St. #212, Carson City, Nevada, 89701. ST.
6 MATTHEW's investigations have shown there is no RACHAEL SILVER living in the state
7 of Nevada; no RACHAEL SILVER owns or has owned property in Nevada; there is no
8 credit record for any RACHAEL SILVER, now or at any time, in Nevada.

9 **AAIMG's Fraudulent Administration**

10 53. All operations and administration of AAIMG are conducted toward the objective of
11 shielding the identities of those responsible, and are designed to every extent possible to
12 preclude the discovery of any further information regarding those individuals.

13 54. As stated above, the address for operations given on the AAIMG website is not a
14 business address, but rather a general corporate resident agent service office operating
15 out of single suite in Carson City, Nevada.

16 55. The only contact information contained on the website is as follows:

17 "Thomas Moore M.D.
18 e-mail: presaaimg@hotmail.com"

19 And:

20 "Sarah B. Weinstein
21 e-mail: execsecaaimg@hotmail.com"

22 56. These email addresses serve as the only working contact points for AAIMG, and
23 are apparently the sole conduit used to administer the AAIMG website and communicate
24 with the public.

25 57. "Hotmail" email accounts, attainable at "hotmail.com," are free, anonymous email
26 accounts, requiring no verifiable contact or identification information from subscribers,
27 and can be accessed via the Internet through a web-based (html) interface, using any
28 computer with a connection to the Internet and an Internet browser program.

1 58. ST. MATTHEW's investigations have shown that the above email addresses, in
2 fact, are regularly accessed from anonymous Internet access points⁴, from such locations
3 as Internet cafés, hotels and trade show locations. This practice of randomized and
4 anonymous Internet access creates the most difficult scenario for tracking and identifying
5 individuals perpetrating fraud, which is extremely unusual and suspicious behavior for a
6 supposedly legitimate and altruistic "institution" such as AAIMG claims to be.

7 59. ST. MATTHEW's investigations have further shown that the same IP addresses
8 have been used to access both AAIMG email accounts, indicating that one individual
9 controls and operates both email addresses. In fact, emails sent to one AAIMG address
10 have received AAIMG responses phrased as though they had been sent from the other
11 AAIMG address.

12 60. The Internet domain "aaimg.com" is registered to "AAIMG, 1802 N. Carson Street,
13 Carson City, Nevada 89701," which is the address of VAL-U-CORP, AAIMG's registered
14 agent for service of process. A true and correct copy of the registration information for
15 the domain "aaimg.com" is attached hereto as Exhibit F.

16 61. AAIMG's website is purportedly hosted and administered out of St. Petersburg,
17 Russia; the technical and administrative contact listed for the domain "aaimg.com" is
18 listed as an individual living in St. Petersburg, Russia, also using a Hotmail account,
19 making it difficult to impossible to contact or serve the individuals responsible for website
20 registration and administration. (See Ex. F.)

AAIMG's Fraudulent Operations

22 62. The totality of the facts surrounding AAIMG make it abundantly clear to reasonable
23 people that the AAIMG operation is a fraud. As stated above, the website operated at
24 "aaimg.com" apparently constitutes the only operations of Defendant AAIMG. (See Ex.
25 C.) AAIMG falsely claims to be a non-profit organization. AAIMG states that its purpose

26 ⁴ Users at Internet access points at any point in time are identified by Internet Protocol (or IP)
27 addresses, comprised of a dotted decimal notation (for e.g.: "192.168.1.1") that uniquely identify
28 an individual connection to the Internet from any physical access point. In order to view a web
page, like the Hotmail.com email web page, a user must access the Internet from a specific IP
address.

1 is "to promote acceptance of United States citizen international medical graduates into
 2 mainstream American medical practice." (See Ex. C, pg. 2.) However, the only apparent
 3 means by which AAIMG works to achieve this "goal" is the purportedly impartial review of
 4 various international medical schools, in accordance with a list of self-established review
 5 criteria. (See Ex. C, pgs. 6-10.)

6 63. Even though AAIMG has no apparent source of income or funding, no identified
 7 shareholders, no stated profits or capital, and no identified staff or agents other than
 8 Defendants MOORE and WEINSTEIN, AAIMG claims to have conducted in-depth, on-
 9 site investigations of over 25 medical schools all over the world, originally and primarily
 10 focusing on the Caribbean region. (Ex. C, pg. 4.) ST. MATTHEW's experience with U.S.
 11 states' accreditation procedures has shown that site investigations of the kind purported
 12 by AAIMG are conducted at a cost of over \$50,000.00 per site visit.

13 64. AAIMG, in its own words, claims that these "investigations" include, among many
 14 other criteria, full inspections of laboratory, teaching, research and residential sites, and
 15 the conducting of student and faculty interviews. (See Ex. C, pgs.4-5.) AAIMG makes
 16 the unbelievable and far-fetched assertion that such inspections, which by their nature
 17 require inside access to institutions, are conducted by people "posing as potential
 18 students, or parents of students." (See Ex. C, pgs.4.) AAIMG has stated that it has
 19 conducted such a thorough investigation of ST. MATTHEW's, implausibly, without the
 20 knowledge of the ST. MATTHEW's or its faculty, either at the time or afterwards. (See Ex.
 21 C, pgs. 15-16.)

22 **AAIMG's Reputation For Fraudulent Activity**

23 65. ST. MATTHEW's also discovered that suspicions regarding the legitimacy of
 24 AAIMG, its website and its "impartial reviews" have been a topic of discussion amongst
 25 the international medical graduate community since AAIMG's inception. Open, active,
 26 public discussions have for years included accusations and allegations of extortionist
 27 activity on the part of AAIMG, "shaking down" medical schools for cash payments in
 28 exchange for positive reviews or to avoid negative ones, and taking payments from

1 schools to post negative reviews regarding their competitors. Such allegations include
 2 those made by the administrators of established, accredited medical schools in the
 3 Caribbean region. True and correct copies of examples of such accusations and
 4 discussions are attached hereto as Exhibit G.

5 66. A common thread of all of these discussions has been calls for the investigation of
 6 AAIMG and its practices, and a public disclosure of the individuals behind it, their
 7 credentials and affiliations.

8 67. Upon information and belief, Plaintiff ST. MATTHEW's alleges that certain of its
 9 competitors in the Caribbean region are responsible, at least in part, for the posting of
 10 negative reviews of ST. MATTHEW's on the AAIMG website, either as sponsors, or in
 11 that they are directly involved with the operation and/or administration of the AAIMG
 12 website.

13 **AAIMG's FALSE STATEMENTS**

14 68. As stated above, AAIMG's website contains numerous and repeated false and
 15 defamatory statements regarding ST. MATTHEW's, all of which ST. MATTHEW's
 16 vehemently refutes, as detailed below.

17 69. Apart from the facially false statements itemized and rebutted below, AAIMG's
 18 evaluation "results" contain an additional layer of deception and misrepresentation. Each
 19 of AAIMG's items of evaluation criteria actually contain several individual criteria – some
 20 relatively insignificant matters, others significant – but lumped together as one item under
 21 the reported results. AAIMG does not clarify which of the several criteria justify the
 22 "deficient" mark for that category. This deceptive practice allows AAIMG to give the
 23 perception that a school has been cited as deficient in important – and eye catching --
 24 categories, while attempting to maintain deniability by the inclusion of the "filler" criteria. It
 25 is unreasonable to expect that many students and evaluators perusing the AAIMG
 26 website would expend the effort to refer back the pages-long, and separately listed,
 27 criteria index. Even if they did, there would be no way for them to know to which item the
 28 "deficient" comment was directed.

1 70. AAIMG cites ST. MATTHEW's as "deficient" in regards to the following "evaluation
 2 criteria" identified on AAIMG's website (see Ex. C, pgs. 6-10).; ST. MATTHEW's refutes
 3 and rebuts these allegations as follows:

4 71. Under AAIMG's criteria labeled "Section I, Admission/Recruiting Practices," AAIMG
 5 cites the following categories as "deficient":

6 ***b. Admission criteria for selecting students are clearly defined in the catalog.***

7 ***The MCAT or a comparable exam should be required. School does not deviate
 8 from stated requirements.***

9 **REBUTTAL:** ST. MATTHEW's admission criteria are clearly defined in the
 10 catalog, and there are no deviations. While ST. MATTHEW's does not at this point
 11 require applicants to submit MCAT scores, all but one of the Caribbean medical
 12 schools follow ST. MATTHEW'S practice of not requiring such scores, including
 13 schools listed as "meeting or exceeding" AAIMG's criteria.

14 ***c. Pre-Medical Requirements consisting of essential liberal arts and science
 15 courses are listed in the school catalog. No student is admitted with fewer than
 16 90 semester hours of undergraduate education or equivalent credits from
 17 foreign countries.***

18 **REBUTTAL:** ST. MATTHEW's has pre-medical requirements clearly listed in its
 19 catalog, and no student is admitted with fewer than 90 semester hours of
 20 undergraduate education.

21 ***d. The application fee is a nominal amount. Students should not be required to
 22 pay additional monies to receive scholarship information, loan applications, or
 23 other types of consideration, or be required to pay a substantial fee to reserve a
 24 seat.***

25 **REBUTTAL:** ST. MATTHEW's application fee is only \$75, comparable to all
 26 other medical schools. No other fees or monies are required to receive scholarship
 27 information, loan applications, or other types of consideration. ST. MATTHEW's \$500
 28 seat deposit is reasonable and in line with other schools, and is nothing more than

1 \$500 of students' first semester tuition -- it is not an additional charge.

2 *f. The medical school does not grant advanced placement to physician*
3 *assistants, chiropractors, podiatrists, nurse practitioners, or other applicants*
4 *with allied health backgrounds.*

5 REBUTTAL: ST. MATTHEW's has never and will never grant advanced
6 placement to any of these fields.

7 *h. Entering classes are of a size compatible with facility size and size of the*
8 *faculty. There is sufficient classroom space and housing for all incoming*
9 *students.*

10 REBUTTAL: ST. MATTHEW's class sizes are smaller than the three others of
11 the most respected and largest offshore medical schools, with an excellent
12 teacher/student ratio. ST. MATTHEW's has totally adequate classroom space, with a
13 teaching facility of over 21,000 square feet, and a university-owned residence hall that
14 accommodates all of ST. MATTHEW's incoming students and some of its continuing
15 students. This allows our incoming students to have time to adjust to the community
16 and search out long-term housing options. To note, at least one of the "schools
17 meeting or exceeding the AAIMG criteria" has no housing for students at all, but was
18 not noted as "deficient" in this regard.

19 72. Under AAIMG's criteria labeled "Section II. Basic Science Curriculum," AAIMG
20 cites the following categories as "deficient":

21 *c. Elective courses, including research opportunities, are available to all*
22 *students.*

23 REBUTTAL: ST. MATTHEW's offers many choices of electives for the clinical
24 sciences. Research opportunities are available to all students.

25 *e. Students must be physically present at the basic science campus for the*
26 *entire term with the exception of semester breaks or school vacations.*

27 REBUTTAL: ST. MATTHEW's students are required to be physically present at
28 the basic science campus for the entire term. In fact, ST. MATTHEW's is one of the

1 only Caribbean schools to have and uphold an 80% attendance requirement of its
2 students.

3 ***k. The basic science curriculum provides supervised pre-clerkship training with
4 adequate patient and hospital exposure before students enter third year
5 clerkships.***

6 REBUTTAL: ST. MATTHEW's has patient-doctor classes beginning in the first
7 semester and continuing through the fifth semester. In the fifth semester, students
8 spend time in hospital and clinical settings for pre-clerkship exposure and training.
9 Over 20% of the courses in the first five semesters are preclinical courses.

10 ***I. Students leaving the basic science division are required to demonstrate
11 proficiency in a standard set of core clinical skills before admission to
12 clerkships. Evaluators of the skill base should be qualified physicians.***

13 REBUTTAL: ST. MATTHEW's students take written exams in the clinical skills
14 and are evaluated in the classroom/lab/hospital settings by a faculty of qualified
15 physicians. All ST. MATTHEW's students must demonstrate their proficiency in these
16 areas by passing the National Board of Medical Examiners Shelf Exam prior to
17 engaging in the third and fourth year clinical rotations—the same exam used by U.S.
18 medical schools. All ST. MATTHEW's students must demonstrate their proficiency in
19 each core area by passing the National Board of Medical Examiners Shelf Exam in
20 that core rotation -- the same exam used by U.S. medical schools.

21 73. Under AAIMG's criteria labeled "Section III. Basic Science Campus," AAIMG cites
22 the following categories as "deficient":

23 ***a. The medical school campus is physically located in the country that
24 authorized its listing by the World Health Organization.***

25 REBUTTAL: ST. MATTHEW's campus is located and chartered in the Cayman
26 Islands, which has authorized ST. MATTHEW's listing by the World Health
27 Organization.

28 ***b. A permanent, independent campus is present with sufficient classrooms,***

1 *labs, and equipment to meet the needs of the student body.*

2 REBUTTAL: ST. MATTHEW's holds a long-term lease on a large, independent,
3 and free-standing state-of-the-art building as its teaching facility for the basic science
4 campus. ST. MATTHEW's owns two modern well-appointed residence halls and has
5 recently purchased an additional five acres on which to build its own permanent
6 campus.

7 *c. Minimum lab requirements should include a gross anatomy lab with cadaver
8 dissection, a microbiology lab, and a separate microscope lab for pathology
9 and histology. Gross pathological specimens should be available. A physiology
10 lab experience is highly desirable.*

11 REBUTTAL: ST. MATTHEW's has a microbiology lab and a separate lab for
12 pathology, physiology, and histology. Gross pathological specimens are available.
13 ST. MATTHEW's has a gross anatomy lab. Rather than conducting cadaver
14 dissections, ST. MATTHEW's, like almost half of U.S. medical schools, provides
15 plastinated cadavers in the anatomy class. The use of the plastinated cadavers has
16 been hailed as the future of anatomy courses.

17 *d. There is a separate medical library area with a book and periodical collection
18 that meets the minimum standards of a small medical school. Online resources
19 such as Medline are available to students and faculty free of charge.*

20 REBUTTAL: ST. MATTHEW's has over 4,000 volumes in its medical library,
21 built around a core Brandon's Small Medical Library. ST. MATTHEW's also has
22 Medline and numerous other resources available online 24 hours a day for students
23 from Basic Sciences through Clinical Sciences. It has 59 hard-copy journals and over
24 three hundred journals available online. Additionally, all students have wireless laptop
25 computers and have access to hundreds of reference books with search capabilities
26 as well as medical journals twenty four hours a day, seven days a week whether in
27 Grand Cayman, the Maine extension campus, or anywhere in the U.S., Canada, or
28 the U.K.

1 **e. There are facilities for quiet study time or research available to students.**

2 REBUTTAL: There is available space for 100 students to study in the library at
3 once. There is also a student lounge and study center, as well as open classrooms
4 equipped for small group study. Students have access to all library materials as well
5 as professor syllabi through their wireless laptops in each of these facilities.

6 **f. There is a designated academic dean to supervise the integrity of the basic
7 science program.**

8 REBUTTAL: ST. MATTHEW's has a full time Chief Academic Officer, a Dean
9 of Basic Sciences and a Board of Trustees to supervise the integrity of the basic
10 science program.

11 **i. Grading policies are consistent among all courses and reviewed regularly by
12 the dean or appropriate committees.**

13 REBUTTAL: ST. MATTHEW's grading policies are consistent among all
14 courses, and at the end of each semester all grades are reviewed by the promotions
15 committee prior to final assignment.

16 74. Under AAIMG's criteria labeled "Section IV. Student Concerns," AAIMG cites the
17 following categories as "deficient":

18 **b. Sufficient, affordable, housing is available to accommodate the student
19 and/or family members.**

20 REBUTTAL: Housing is available for all new incoming students as well as
21 some ongoing students in the university-owned residence halls for the first semester.
22 Within the local community, there are many excellent choices for apartments and
23 homes most certainly sufficient to meet the housing needs for all students in Grand
24 Cayman.

25 **c. Dormitory accommodations at a reasonable rate are available for students
26 requesting this type of accommodation.**

27 REBUTTAL: As stated above, residence hall accommodations (dormitories) are
28 available, and are below the cost of rooms found in the private sector of the island.

1 The price includes all utilities, high speed internet access, swimming pool, and has
2 many forms of food service less than a block away. Each room contains a mini-
3 kitchen with a microwave and a small refrigerator. Students have the opportunity to
4 reduce costs by requesting a room mate.

5 ***f. A student health clinic and/or local health care resources are readily
6 available for routine health care needs.***

7 REBUTTAL: There are excellent, state-of-the-art health care resources readily
8 available for health care services well beyond the routine. Cayman boasts two
9 beautiful state-of-the-art hospitals and numerous highly-qualified practicing
10 physicians, most trained in the U.S. or Canada.

11 ***g. Emergency medical evacuation services/insurance are offered to students at
12 a reasonable rate.***

13 REBUTTAL: Health insurance and medical evacuation insurance are not only
14 offered but required, and offered to students at reasonable rates through Student
15 Resources, a company that provides student health insurance to thousands of
16 students in the U.S. and other international schools. This health insurance program
17 also provides for medical evacuation. The cost is under \$89 per month for all
18 students.

19 ***m. Academic and psychological counseling are available free of charge from
20 qualified staff or faculty members.***

21 REBUTTAL: Academic and psychological counseling are available free of
22 charge from qualified faculty members. Either or both may be required when a
23 student develops academic or personal problems. ST. MATTHEW's has a Dean of
24 Student Affairs who has a Ph.D. in psychology, as well as professionally trained
25 support staff.

26 ***n. The student attrition rate for all reasons remains low throughout the
27 curriculum.***

28 REBUTTAL: Student attrition rate for all reasons remains approximately 10

1 percent throughout the curriculum, comparable or superior to other schools.

2 75. Under AAIMG's criteria labeled "Section V. Clinical Training Program," AAIMG
 3 cites the following categories as "deficient":

4 ***b. There is a designated academic official to supervise the integrity of the
 5 clinical training program.***

6 REBUTTAL: ST. MATTHEW's employs a Chief Academic Officer (M.D.) and a
 7 Clinical Dean (M.D.) who are experienced teachers with board certification in their
 8 respective fields, with the Dean having prior experience as a director of residency
 9 training. ST. MATTHEW's also has six Clinical Chiefs, who possess the M.D. and
 10 who hold a board certification in their specialty, all of whom supervise the integrity of
 11 the clinical training program.

12 ***d. Evaluation criteria and performance expectations are shared with students
 13 and preceptors prior to the clerkship rotation.***

14 REBUTTAL: A Clinical Handbook is provided to each student at Clinical
 15 Orientation during his/her fifth semester. A complete Clinical Orientation Packet is
 16 provided and the Orientations include the Clinical Dean, Director of Clinical
 17 Development, Director of Clinical Services, Clinical Coordinators and Clinical
 18 Administrative Assistants. During this Orientation all staff members discuss various
 19 aspects and requirements of the Clinical Sciences program. A question and answer
 20 period is always included in the Orientation.

21 ***e. Hospital affiliations are listed in the school catalog. Students are not
 22 expected to find their own clerkships.***

23 REBUTTAL: ST. MATTHEW's hospital affiliations are listed on the school
 24 website at www.stmatthews.edu. Students are *not* expected to find their own
 25 clerkships, and in fact they are *not permitted* to do so. ST. MATTHEW's has a
 26 Director of Clinical Services who supervises and manages all clerkship placements.

27 ***f. There is demonstrated continuity between the basic science campus and the
 28 clinical medicine program.***

1 **REBUTTAL**: ST. MATTHEW's has a Chief Academic Officer ("CAO"), who is
 2 responsible for maintaining continuity between the Basic Sciences and Clinical
 3 Sciences. This is achieved through frequent meetings between the CAO, Dean of
 4 Basic Sciences, Basic Science Faculty and the Dean of Clinical Sciences, Clinical
 5 Chiefs, and Preceptors. More formalized meetings occur regularly to ensure
 6 continuity as well.

7 ***h. There are sufficient clerkship and staff members to process and track all
 8 students during third and fourth year rotations.***

9 **REBUTTAL**: ST. MATTHEW's presently has approximately 350 students in
 10 clinical rotations. ST. MATTHEW's has a Clinical Dean (an M.D.), Director of Clinical
 11 Development (an M.S.), Director of Clinical Services (a B.A.), six Clinical Chiefs
 12 (M.D.s), two Clinical Coordinators (B.A.s), and three Clinical Administrative Assistants
 13 to process and track all students during third and fourth year rotations. ST.
 14 MATTHEW's has had no problems in keeping track of students, exams, or daily logs.

15 ***j. There are a sufficient number of hospitals and preceptors in hospitals with a
 16 structured teaching program to meet student needs.***

17 **REBUTTAL**: ST. MATTHEW's currently has – and has always had – a surplus
 18 of clerkship slots in teaching hospitals, and has never failed to meet student needs for
 19 clerkships.

20 ***I. Full-time qualified medical school administrative staff are available to
 21 monitor the student's progress on a regular basis.***

22 **REBUTTAL**: See rebuttal to statement "h," this section, *supra*.

23 ***m. Hospitals and preceptors are monitored on a regular basis by appointed
 24 staff.***

25 **REBUTTAL**: See above rebuttals regarding supervisory staff; these staff
 26 members are charged with monitoring the hospitals and preceptors.

27 ***n. Student evaluations are done on a regular basis for each clerkship
 28 experience.***

1 REBUTTAL: Student evaluation forms are now required to be completed after
2 each clerkship experience, and therefore mandatory at this time.

3 76. Under AAIMG's criteria labeled "Section VI. Faculty," AAIMG cites the following
4 categories as "deficient":

5 a. ***Names educational background and qualifications of faculty are reported in***
6 ***the school catalog and accurately represent actual on site, fulltime faculty.***

7 REBUTTAL: The names, educational background and qualifications of ST.
8 MATTHEW's faculty are currently reported in the school catalog and accurately
9 represent actual on-site, fulltime faculty.

10 b. ***There is sufficient experienced, full-time, qualified faculty to teach each***
11 ***course in the curriculum.***

12 REBUTTAL: ST. MATTHEW's has an excellent student teacher ratio,
13 representing more than sufficient faculty. ST. MATTHEW's has 25 teachers in the
14 Basic Sciences and 204 clinical preceptors, giving an overall 1:20 student/teacher
15 ratio in Basic Sciences, and a 1:2 overall student/teacher ratio in the Clinical Sciences
16 – far better than "sufficient."

17 e. ***Faculty are not expected to cover more than 2 courses or teach out of their***
18 ***areas of expertise.***

19 REBUTTAL: ST. MATTHEW's faculty members generally teach two or fewer
20 courses, and only in their area of expertise.

21 h. ***Professional development opportunities are available to faculty locally.***

22 REBUTTAL: ST. MATTHEW's faculty is fortunate in that many professional
23 development programs are brought to Grand Cayman due to its desirability as a
24 tourist location, and many physicians attend conferences locally for continuing
25 education. Occasionally, ST. MATTHEW's faculty members both teach and
26 participate in these continuing education opportunities. Annually, the Harvard
27 International Program provides a teacher skills laboratory to help the teachers stay on
28 the cutting edge of the case-based teaching model. Also, the University provides up

1 to \$2,500 to each faculty member to attend their annual discipline conference in the
2 U.S. or U.K. Also, each faculty is encouraged to be active in research, and stipends
3 are available.

4 ***i. There are provisions for funding for faculty to attend professional meetings.***

5 REBUTTAL: See rebuttal to statement "h," this section, *supra*.

6 77. Under AAIMG's criteria labeled "Section VII. Financial," AAIMG cites the following
7 categories as "deficient":

8 ***b. Students are provided with a realistic breakdown of cost of living expenses
9 prior to matriculation.***

10 REBUTTAL: Every student is provided with detailed cost guides and financial
11 aid information specifically designed to educate them as to the costs of attending ST.
12 MATTHEW's.

13 ***e. A detailed description of all financial aid programs is listed in the school
14 catalog.***

15 REBUTTAL: A detailed description of all financial aid programs is listed in the
16 school catalog along with information specifically as how to apply, the necessity of a
17 credit worthy status, the three credit reporting agencies, as well as the
18 recommendation to follow-up on loan status and ensure that students' credit is
19 adequate.

20 ***f. Trained personnel are available to provide financial counseling.***

21 REBUTTAL: ST. MATTHEW's Director of Financial Aid, Gloria Miranda-Avila,
22 M.B.A., has fifteen years of experience at educational institutions as either director or
23 assistant director of financial aid over many student loan programs, including the
24 federal Stafford loan program. Ms. Miranda-Avila is always available to provide
25 financial counseling to students, and does so through general emails as well as
26 weekly online chats with prospective and enrolled students. Ms. Miranda-Avila also
27 has a trained administrative assistant, to remain available to students and help her
28 with these duties.